

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 18-10476-RGS

STEVEN CARBONE,

v.

ANDREW SAUL,
COMMISSIONER OF THE SOCIAL SECURITY ADMINISTRATION

ORDER ON REPORT AND RECOMMENDATION
OF THE MAGISTRATE JUDGE

September 17, 2019

STEARNS, D.J.

I agree with Magistrate Judge Cabell's detailed analysis of the record and his conclusion that the Commissioner correctly found that plaintiff was not disabled at any time after February 1, 2007 (the last insured date), within the meaning of the Social Security Act. More specifically, I agree with Magistrate Judge Cabell that the Administrative Law Judge (ALJ) conducted a thorough investigation of a lengthy and complex medical record, and properly focused at steps four and five of the analysis on the extent to which, despite his inability to return to his past relevant work, Carbone was nonetheless capable of performing other available jobs in the national economy. In this regard, the ALJ carefully weighed the treatment records,

and more particularly, the reports and opinions of Drs. Carter and Koocher. I also agree that at the step five determination, it was proper, indeed desirable, for the ALJ to rely on the testimony of the vocational expert. While I agree that the medical record is in some respects equivocal as to the extent and severity of Carbone's mental and social issues, there is substantial support in the record and in the opinions of the medical experts that his symptoms were well controlled by medication and that he retained the Residual Functional Capacity to perform light work. Consequently, the Recommendation is ADOPTED, plaintiff's motion to reverse or remand the decision of the Commissioner is DENIED, and the Commissioner's motion to affirm the decision of the ALJ is ALLOWED.¹ The Clerk will enter judgment for the Commissioner and close the case.

SO ORDERED.

/s/ Richard G. Stearns

UNITED STATES DISTRICT JUDGE

¹ Carbone did not file an Objection to the Magistrate's Report and Recommendation.